

## CITY OF LYNN

Andrew J. Hall, P.E.  
Commissioner



Lisa J. Nerich  
Associate Commissioner

## DEPARTMENT OF PUBLIC WORKS

(781) 268-8000 • Fax (781) 477-7074

250 Commercial Street  
Lynn, Massachusetts 01905

1. **Applicant Identification:** Mayor's Office, City of Lynn, 3 City Hall Square, Lynn, MA 01901.
2. **Funding Requested:**
  - a. **Grant Type:** Single Site Cleanup
  - b. **Federal Funds Requested:** \$300,000
  - c. **Contamination:** Petroleum
3. **Location:** Lynn, Essex County, Massachusetts
4. **Property Information:** 90 Commercial Street, Lynn, Massachusetts 01905
5. **Contacts:**
  - a. **Project Director:** Andrew Hall, P.E., Commissioner, Lynn Department of Public Works, Lynn, MA 01905. Mr. Hall can be reached via telephone at (781) 268-8000 or email [ahall@lynnma.gov](mailto:ahall@lynnma.gov).
  - b. **Chief Executive/Highest Ranking Elected Official:** The responsible Chief Executive is Mayor Thomas M. McGee, Lynn City Hall, 3 City Hall Square, Room 306, Lynn, Massachusetts 01901. Mayor McGee may be reached at (781) 598-4000 or by email [Thomas.McGee@lynnma.gov](mailto:Thomas.McGee@lynnma.gov).
6. **Population:** 90,329
7. **Other Factors Checklist**

Other Factors	Page #
Community population is 10,000 or less.	
The applicant is, or will assist, a federally recognized Indian tribe or United States territory.	
The priority brownfield site(s) is impacted by mine-scarred land.	
Secured firm leveraging commitment ties directly to the project and will facilitate completion of the project/redevelopment; secured resource is identified in the Narrative and substantiated in the attached documentation.	3
The priority site(s) is adjacent to a body of water (i.e., the border of the priority site(s) is contiguous or partially contiguous to the body of water, or would be contiguous or partially contiguous with a body of water but for a street, road, or other public thoroughfare separating them).	
The priority site(s) is in a federally designated flood plain.	2
The redevelopment of the priority site(s) will facilitate renewable energy from wind, solar, or geothermal energy; or any energy efficiency improvement projects.	

8. **Letter from State Authority:** Attached



Commonwealth of Massachusetts  
Executive Office of Energy & Environmental Affairs

# Department of Environmental Protection

One Winter Street Boston, MA 02108 • 617-292-5500

Charles D. Baker  
Governor

Karyn E. Polito  
Lieutenant Governor

Matthew A. Beaton  
Secretary

Martin Suuberg  
Commissioner

January 14, 2019

U.S. EPA New England  
Attn: Frank Gardner  
5 Post Office Square, Suite 100  
Boston, MA 02109-3912

**RE: STATE LETTER OF ACKNOWLEDGMENT  
*City of Lynn, Brownfield Cleanup Grant Funding***

Dear Mr. Gardner:

I am writing to support the proposal submitted by the City of Lynn (City) under the Fiscal Year 2019 U.S. Environmental Protection Agency (EPA) Brownfield Cleanup Grant Program. Funding from the EPA will allow the City to complete cleanup of a nine-acre park where documented petroleum contamination has occurred from historical uses. Under an existing EPA assessment grant, assessment activities revealed the presence of six underground storage tanks (USTs) at the property. The City plans to complete remediation on the property and construct a new middle school.

On January 23, 2015, Governor Baker signed his first Executive Order, creating the Community Compact Cabinet, in order to elevate the Administration's partnerships with cities and towns across the Commonwealth. Lieutenant Governor Polito chairs the cabinet, which concentrates financial, technical, and other resources at the state level to a select group of projects, including Brownfields. The City's compact was signed on January 24, 2017, ensuring any funding provided by EPA will be supported by a focused commitment of state resources.

We greatly appreciate EPA's continued support of Brownfield efforts here in Massachusetts.

Sincerely,

Paul Locke  
Assistant Commissioner, Bureau of Waste Site Cleanup

cc: Tracey Costa, LSP, Ransom Consulting, Inc.  
Joanne Fagan, Brownfields Coordinator, MassDEP-NERO

**This information is available in alternate format. Call the MassDEP Diversity Office at 617-556-1139. TTY# MassRelay Service 1-800-439-2370**

MassDEP Website: [www.mass.gov/dep](http://www.mass.gov/dep)

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## **Narrative**

## **1. PROJECT AREA DESCRIPTION AND PLANS FOR REVITALIZATION (30 points)**

### **1.a. Target Area and Brownfields (8 points)**

#### **1.a.i. Background and Description of Target Area (3 points)**

The 180-acre **Brickyard Village** target area is located within ½ mile of the Waterfront in Lynn, Massachusetts in Essex County and approximately 8 miles north of Boston on the Atlantic coast. Historically, the target area was occupied by a brickyard and shoe, box, and wheel factories, surrounded by congested residences that housed the industries' workers. Lynn is a Massachusetts "**Gateway City**", which offered good jobs and "gateway" to the American Dream, but now suffers from the loss of manufacturing jobs over several decades. We are designated by the state as an **Economic Target Area (ETA)** and **Economically Distressed Area (EDA)**, due to the loss of jobs and business closures over the last 40 years. The City is a **CDBG Entitlement Community**<sup>1</sup>, sustaining the target area's affordable housing needs. The entire target area is located within an **Opportunity-Zone**<sup>2</sup>, to drive tax-advantaged private investment in the low-income community. The target area is also hampered by over 50 Brownfields sites that contribute to blight and decreased morale. Lynn's fortune began to decline in the latter half of the 20<sup>th</sup> century and was plagued by an increase in crime and exacerbated by several large fires in the late 1970s and early 1980s. Our population in the target area is **59% minority**<sup>3</sup>, including an influx of refugees, with a poverty rate that exceeds city, state and national averages, further burdened by low education rates. A high population of children, elderly, minority, and low-income residents live in the target area. *The target area is located within a FEMA Special Flood Hazard Area with ongoing flooding issues*, with a potential to spread Brownfields site contaminants throughout the community and to our Waterfront and Lynn Harbor. One of the Brownfields sites in the target area is the former **Gas and Auto Service Station site** located within *Neptune Blvd. Park and McManus Field*. The densely populated target area includes four schools, a MBTA<sup>4</sup> commuter rail line, clustered, aging residences, distressed and abandoned properties, and mixed commercial/industrial use.

#### **1.a.ii. Description of the Brownfield Site (5 points)**

The 15,000 square foot (SF) **Gas and Auto Service Station site** ("Site") is located at a busy intersection and operated as a gasoline station and automotive service station from the 1930s to the 1970s. Historic Site occupants/owners include R&H Oil Co., Autobody, Inc., and Pat's Auto Service/Gas Station. The City redeveloped the Site in the late 1970s as the southwestern portion of the 9-acre *Neptune Blvd. Park and McManus Field*. Three recreational fields in the public park are used by the abutting Lynn Vocational Technical High School students and are frequented by adults and children in the target area. A release of petroleum was discovered at the Site in 2016, based on the results of soil and groundwater assessment activities. The release triggered a Massachusetts Contingency Plan (MCP)<sup>5</sup> reporting condition and is listed by the Massachusetts Department of Environmental Protection (MassDEP) as a petroleum release site and assigned Release Tracking Number (RTN) 3-34079. Based on the results of a geophysical survey conducted in 2018, **six abandoned underground storage tanks (USTs)**, were discovered, three of which are depicted on historic Sanborn maps. The USTs are the likely the source of petroleum contamination that has not been cleaned up. The petroleum plume can accumulate in groundwater

<sup>1</sup> The Community Development Block Grant (CDBG) Entitlement Program provides annual grants on a formula basis to entitled cities and counties to develop viable urban communities by providing decent housing and a suitable living environment, and by expanding economic opportunities, principally for low- and moderate-income persons.

<sup>2</sup> The U.S Treasury designated Lynn as an Opportunity Zone in May 2018

<sup>3</sup> Census Tract 207200 in Essex County, Massachusetts

<sup>4</sup> The Massachusetts Bay Transit Authority (MBTA) commuter rail runs from Lynn to Boston

<sup>5</sup> The Massachusetts Contingency Plan is the state's environmental regulation that provides for the protection of health, safety, public welfare and the environment by establishing requirements and procedures for the activities and cleanup of oil or hazardous materials

and under nearby homes and area schools and accumulate in indoor air. If not cleaned up, children and adults that frequent the park and recreation area, along with city workers, will be exposed to petroleum contamination. ***Flooding is a real concern in the target area***-On August 12, 2018, close to 8 inches of rain fell and caused extreme flooding of streets, homes and businesses. Since the Site is ***located within a FEMA Special Flood Hazard Area***, flooding can cause petroleum contamination to upwell at the Site and expose the vocational students, park visitors and workers; migrate to surrounding homes and 4 schools; and contaminate stormwater flows to the Waterfront and Lynn Harbor. Fill has been historically used in the in the target area and is likely to contain hazardous materials, including lead, coal ash and wood ash. Furthermore, there is a likelihood that former buildings at the Site and target area were demolished “in place”, which is prevalent in Lynn, with a potential of lead, asbestos and PCBs in buried construction & demolition (C&D) debris. According to MassDEP<sup>6</sup>, the number of state-listed release sites in the City is 493 and includes at least 50 Brownfields sites in the target area.

### **1.b. Revitalization of the Target Area (12 points)**

#### **1.b.i. Redevelopment Strategy and Alignment with Revitalization Plans (7 points)**

The City intends to clean up the Site to *maintain recreational use for 4 acres of the park* to support ongoing recreation and health benefits for the target area and relocate the athletic fields for the vocational school. *Construction of the West Lynn Middle School on 5 acres of the park* is necessary *to improve the livelihoods of our children in the target area* as part of the overall revitalization of the Waterfront Area. The school will accommodate over 1,000 students. The overarching goal of the revitalization plan is to identify, assess, remediate and redevelop Brownfields properties within the target area. Our approach to economic vitality is to invest in the skills and resources of people living at or below the poverty level; and invest in new business growth, to grow an economic/jobs base<sup>7</sup>. We will offer accessible “birth to career” educational opportunities; public access and neighborhood connections to the \$192M Waterfront Development project, currently underway; improved access to the commuter rail station; improved infrastructure; affordable housing; and improved education. Planning efforts to revitalize the target area include the Lynn Economic Development Strategy (2005), Lynn Coastal Resiliency Assessment (2016), Lynn Open Space and Recreation Plan (2016) Lynn Waterfront Master Plan (2007), Lynn Housing Study (2016), Bike/Pedestrian Bikeway Plan, and Lynn Revised Waterfront Master Plan (underway). In November 2015, Massachusetts Governor Charlie Baker established the Lynn Economic Advancement and Development (LEAD) Team, which includes the state’s transportation secretary, environmental secretary, legislative delegation and city officials, and MassDevelopment, the state’s finance agency. LEAD is coordinating community planning efforts and will enable expedited permitting and development on underutilized real estate parcels. MassDevelopment hired a dedicated Transformative Development Initiative (TDI) Fellow to enhance our economic development capacity and implement zoning initiatives to accommodate redevelopment. Since 2004, over \$100M has been invested by private developers in the City and an additional \$3M in city funds have been invested in infrastructure improvements.

#### **1.b.ii. Outcomes and Benefits of Redevelopment Strategy (5 points)**

The City envisions the following outcomes and benefits:

- ✓ Cleanup of petroleum contamination that poses a threat to children and adult park visitors, workers, nearby residences and businesses, in the target area and Waterfront/Lynn Harbor.

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<sup>6</sup> Massachusetts Department of Environmental Protection

<sup>7</sup> This is a HUD-DOT-EPA Livability Principle

- ✓ Construction of a new middle school to combat overcrowding and providing equal access to a “21<sup>st</sup> Century Middle School education” to combat poor school grades and teacher jobs.
- ✓ Implementation of infrastructure improvements to improve flooding issues.
- ✓ Incorporation of climate change adaptation measures for cleanup and design/construction of new buildings and infrastructure upgrades and sustainable energy (solar/wind).
- ✓ Preservation of 4 acres of the Neptune Blvd. Park and McManus Field for the poor, minority and sensitive populations in the target area, especially residences living in rental housing with no yards and limited access to recreation. Connecting the target area to the Waterfront for recreation, including the expansion of the “Northern Strand” bike path.
- ✓ The new middle school will be outfitted with security equipment, including cameras, which will provide additional security to the target area, thereby decreasing crime. Crime will decrease for children walking to the 4 schools in the target area.
- ✓ Affordable housing for low income families and increased real estate values.
- ✓ Creation of temporary and permanent jobs in the target area and improved linkage for pedestrians to the commuter rail line, providing access to Boston for higher-paying jobs.

**1c. Strategy for Leveraging Resources (10 points)**

**1.c.i. Resources needed for Site Reuse (7 points)**

As a **Massachusetts Gateway City**, Lynn has several options to leverage funding to support cleanup and redevelopment of Brownfields sites after assessment. Since 2016, the City has received \$8.5M of MassWorks Infrastructure Program grant funding. The City has also been allotted \$1.5M in FY 2019 MassDOT Chapter 90 transportation funding, which can be used to support infrastructure improvements. A recent \$90M private investment for redevelopment of the Beacon Chevrolet Brownfields site in the Waterfront is pushing forward the revitalization effort and will spur additional private funding. We will seek Tax Increment Finance (TIF) funding and utilize the City’s Community Development Block Grants (CDBG) program-The City has administered \$2.5M in CDBG funds in the last 5 years, which leveraged over \$7M in private financing, to support affordable housing development. The City is a participant in the Commonwealth's Economic Development Incentive Program (EDIP), designed to provide both relief from local property taxes and encourage new investment by providing a 5% state tax credit for developers. The City is also eligible for MassDevelopment Brownfields Assessment and Cleanup grants<sup>8</sup>, which has funded assessment of Brownfields in the City. In 2017, the state approved a \$91.7M grant for the West Lynn Middle School and Pickering Middle School. The City was awarded a \$780K grant from the regional planning agency for LED conversion of street lights.

**1.c.ii. Use of Existing Infrastructure (3 points)**

The target area is connected to public water, combined sewer overflow (CSO), along with electric, natural gas, and communications (i.e., cable, high-internet, fiber optics). The majority of these utilities in the target area are located underground, which provides additional security and reduction in potential outages during storm events. New development is anticipated to utilize and improve existing infrastructure, along with upgrading stormwater discharges by implementing green stormwater infrastructure (GSI)<sup>9</sup>. The City will promote energy efficiency and sustainability for all new development, as exemplified in the City’s wind turbine in the target area. Enhancements of infrastructure includes walkable connections to existing amenities, including the MBTA commuter and to link new activity to existing assets, including the Waterfront.

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<sup>8</sup> The City is eligible to apply for up to \$100K for MassDevelopment Brownfields Assessment funding per site and up to \$500K Cleanup funding per site. There is also additional funding for developers.

<sup>9</sup> GSI is proven, *sustainable* flood-prevention strategy

## **2. COMMUNITY NEED AND COMMUNITY ENGAGEMENT (20 Points)**

### **2.a. Community Need (12 points)**

#### **2.a.i. The Community's Need for Funding (3 points)**

“Lynn Public Schools face an \$18.6 million gap between available funds and the money the state requires the district to spend to provide students an adequate education”<sup>10</sup>. Lynn’s FY 2019 budget is already projected to be \$4.5 million in deficit. Approximately 78.6% of the students receive a free or reduced-price lunch, an indication of the high prevalence of students from low-income families, which is very real in the target area. *Increased revenue is anticipated to supplement municipal funding for the school and increase student grades and provide a strong foundation for students.* The General Electric (GE) plant, located directly north of target area, continues to downsize its operations in Lynn, eliminating of 13,000 jobs since 1985, which had had a profound impact on the community. Closure of the 90-year old Garelick Farm Dairy plant in 2018 resulted in a loss of 300 jobs. *New job and workforce training opportunities are anticipated benefits of the revitalization.* The City has over 150 properties in tax title status, translating into \$500K in lost taxes, which reduces policing and municipal support services for the community. *Tax revenue is anticipated to increase with the revitalization, with opportunities to resurrect tax title properties.*

#### **2.a.i.i. Threats to Sensitive Populations (9 points)**

**(1) Health of Welfare (3 points):** Community school age students lag behind the statewide average in school achievement. Our municipal, school, and nonprofit efforts struggle to meet the demand for literacy, English language learning, safe and affordable housing, and job skills training or job opportunity. Our Head Start waiting list is over 1000, and there are 1500 on the list for English literacy class openings. In 2014, the amount of new foreign-born student admissions nearly doubled over the previous two years and saw more than 600 new admissions. *Revenue from the revitalization is anticipated to provide improved access for learning and reduce overcrowding in our schools.* In addition to a large refugee population, Minorities in the target area comprise close to 60% of the population and linguistic isolation in the target area exceeds the 90<sup>th</sup> percentile<sup>11</sup>. *A renewed focus on EJ concerns is being addressed as part of the revitalization, through community outreach by the City and non-profit organizations, along with establishing ongoing dialogue with developers and stakeholders.* Crime is an ongoing struggle in the community-In 2017, the City had the 2<sup>nd</sup> highest number of opioid related deaths and the Massachusetts Department of Public Health (DPH) indicates intravenous drug users in Lynn that are admitted to DPH funded treatment programs are almost double the state rate and alcohol and other drug related hospital charges exceed the state rate by over 25%. *Crime will be decreased by increasing visibility; construction of new affordable housing to replace distressed and abandoned housing (culprits for drug use) and revenue to support the hiring of additional police.* **(2) Greater Than Normal Incidence of Disease and Adverse Health Conditions (3 points):** There is evidence of heightened levels of disease in the community. According to the Massachusetts Department of Public Health (DPH), rates of lung cancer, bacterial pneumonia, asthma (*which may be exacerbated by old stock housing, exposure to VOCs*), cardiovascular disease (*linked to lack of exercise*) and tuberculosis in are higher than state averages and is a high-risk community for childhood lead poisoning (*linked to old stock housing*). The incidence of multiple cancers in the is higher than expected as compared to statewide averages<sup>12</sup>-*Suspect Brownfields contaminants in the target area associated with its industrial and commercial are carcinogenic, including petroleum hydrocarbon constituents.*

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<sup>10</sup> Lynn Journal. August 22, 2016

<sup>11</sup> EPA EJSCREEN

<sup>12</sup> Cancer Incidence in Massachusetts 2008-2012. Mass. Dept. of Public Health. June 2016.



*Assessment, cleanup and redevelopment of Brownfields sites will mitigate contaminant exposures. New affordable housing, along with the rehabilitation of aging housing, will mitigate health exposures and access to recreation will improve health.* DPH records indicate the prevalence rate of HIV/AIDS in Lynn exceeds the state<sup>13</sup>. From 1994 to 2015, Lynn Community Health Care Center (LCHC) experienced dramatic growth in the number of total health center patient visits from 62,000 to 252,000 visits. Since 2006, LCHC has consistently seen over 400 new patients every month. *Revenue from the revitalization effort will increase funding to support services in the target area.* **(3) Economically Impoverished/Disproportionately Impacted Populations (3 points):** The median household income in the target area is \$19,643<sup>14</sup>, far below the state (\$67,846<sup>15</sup>) and national (\$57,652<sup>16</sup>) incomes and families living in poverty is 31%, exceeding state (8%) and national (12%) percentages. The Latino population reports the lowest level of income and represents the largest percent of the population with less than a high school diploma<sup>17</sup> and is the highest minority population (44%) in the target area, followed by Black (17%) and Asian (7%) populations, reflecting EJ concerns. Renter-Occupied housing in the target area (74%) exceeds city (52.6%), state (41.6%), and national (25.9%) rates and owner-occupied housing in the target area (25%) is much lower than city (47.4%) state (56.1%) and national (56.3%) percentages. *An increase of affordable housing will continue to address the needs of poor and minority populations.* Children under age 5 (14.63%) in the target area exceed state (5.49%) and national (6.36%) rates and elderly populations in the target area (15.42%) also exceed state (14.4%) and national (13.74%) rates<sup>18</sup>. *The new school in the target area will bolster opportunities for children and outreach services and community engagement will focus on sensitive populations.*

## **2.b. Community Engagement (8 points)**

### **2.b.i. Community Involvement (5 points)**

The following Project Partners are committed to the Brownfields and Revitalization program:

<b>Lynn Community Health Center:</b> John Flick, Director of Operations, (781) 581-3900 <i>This non-profit, health center will provide health education and translator services</i>
<b>Greater Lynn Senior Services:</b> Paul T. Crowley, Executive Director; (781) 599-0110 <i>Engagement with elderly and provide office space</i>
<b>MassDevelopment:</b> Eleni Varitimos, VP; (978) 459-6100; <a href="mailto:evaritimos@Massdevelopment.com">evaritimos@Massdevelopment.com</a> <i>Brownfields Assessment/Cleanup funding; Developer financing; Tax credits; Developer RFPs</i>
<b>Boys and Girls Club of Lynn:</b> Robert H. Barker, Jr., Executive Director; (781) 593-1772; <a href="mailto:obarker@bgcl.org">obarker@bgcl.org</a> ; <i>Address needs of children and recreational opportunities in target area</i>
<b>North Shore Community College</b> <sup>19</sup> : Patricia A. Gentile, President; (978) 762-4000; <a href="mailto:pgentile@northshore.edu">pgentile@northshore.edu</a> ; <i>Education and training programs; meeting space</i>
<b>Neighborhood Development Associates:</b> Peggy Phelps, Director; (781) 581-8600; <a href="mailto:PPhelps@lhand.org">PPhelps@lhand.org</a> ; <i>Provide support on affordable housing, meeting space and translators</i>

<sup>13</sup> The HIV/AIDS prevalence rate in Lynn on 1/1/17 was 500.4 per thousand, compared to 317.6 per thousand (state)

<sup>14</sup> Census Tract 207200 in Essex County, Massachusetts

<sup>15</sup> Census 2010-2014

<sup>16</sup> U.S Census Bureau 2013-2017

<sup>17</sup> Creating Community Health and Wellbeing in Lynn. A Community Health Needs Assessment and Plan. NextShift Collaborative. 2016.

<sup>18</sup> Census Tract 207200 in Essex County, Massachusetts (2010-2014)

<sup>19</sup> The Lynn campus abuts the target area and offers a College2Career Program leading to entry-level employment, along with 80 affordable and accessible certificate and degree programs.



2.b.i.i. Incorporating Community Input (3 points)

The City will implement effective strategies to ensure that the community is informed and engaged and provided with opportunities for input: (1) Harness the reach of Project partners as “boots on the ground” and to utilize their resources (i.e., website, social media, staff) to broaden our reach. (2) Conduct neighborhood door-to-door outreach and conduct meetings at area schools and organizations that are accessible and “less intimidating” than City Hall and provide translators. (3) Develop and distribute multilingual brochures (both printed and electronic). (4) Educate the community on health impacts associated with the Site and avoiding contaminants (i.e., raised beds for gardening; lead paint awareness; avoid playing in dirt). (5) Use City and Project partner websites for project details notices, surveys, fact sheets, and advertise opportunities for public engagement (6) Using Social media (i.e., Facebook, Twitter) to foster two-way communication. (7) Host informational booths at community, governmental and cultural events in the target area (i.e., farmer’s market, arts festivals, food festivals, concerts, City meetings).

**3. TASK DESCRIPTIONS, COST ESTIMATES, AND MEASURING PROGRESS**

**3.a. Proposed Cleanup Plan (8 points)**

Cleanup will be conducted in accordance with the state environmental cleanup regulation, the Massachusetts Contingency Plan (MCP)<sup>20</sup> under the management of the City’s selected Qualified Environmental Professional (QEP) and performed by licensed contractors. Cleanup plans will be discussed and integrated in the Community Relations Plan (CRP). The cleanup plan will incorporate EPA Principles for Greener Cleanups. *State cleanup (MCP) reports and submitted to MassDEP: A Release Abatement Measure (RAM) Plan* by the selected QEP’s Massachusetts Licensed Site Professional (LSP)<sup>21</sup>, outlining the proposed cleanup plan and status reports will be prepared. Subsequent to the completion of cleanup activities, a Permanent Solution Statement (PSS) will be prepared, which will include a human health risk characterization, to assess risks for unrestricted Site usage. All local, state and federal permits will be obtained prior to the implementation of cleanup activities. Construction fencing, equipped with a gate and filter fabric, will be installed and maintained during cleanup activities. A Health & Safety Plan will be prepared, prior to the implementation of cleanup activities, and all Site personal will be properly licensed and/or certified to perform and oversee cleanup activities, including OSHA HAZWOPER certifications. Erosion and sedimentation controls will be installed. Dust and odor suppression measures will be implemented.

UST removal will be conducted, including the management of containerized waste. Field-screening of soils for volatile organic compounds (VOCs) during excavation will be conducted using a photoionization detector (PID). Soil excavation will include dewatering. Treated groundwater will be discharged pursuant to municipal, state and/or federal requirements. Up to 700 tons of contaminated soils are anticipated to be excavated. Post-excavation soil sampling will be conducted, which will include the collection of soil samples for laboratory analysis of Volatile Petroleum Hydrocarbons (VPH), Extractable Petroleum Hydrocarbons (EPH) and target analytes. These are the petroleum analytes recommended by the MassDEP to characterize risks posed by

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<sup>20</sup> The Massachusetts Contingency Plan is the state’s environmental regulation that provides for the protection of health, safety, public welfare and the environment by establishing requirements and procedures for the activities and cleanup of oil or hazardous materials.

<sup>21</sup> In 1993, Massachusetts created a model program that privatized the cleanup of hazardous waste sites in the Commonwealth. Licensed Site Professionals (LSPs) are authorized by the Commonwealth to work on behalf of property owners, operators, and other responsible parties to oversee the assessment and cleanup of contamination that has been released into the environment. LSPs are scientists, engineers, and public health specialists with significant professional expertise in oil and hazardous material contamination. LSPs are governed by the Massachusetts Board of Registration of Hazardous Waste Site Cleanup Professionals, also known as the LSP Board.

the release of petroleum products to the environment<sup>22</sup>. Additional sampling will be conducted for total lead (to assess leaded gasoline) and ethylene dibromide (EDB), a gasoline additive. Site restoration will include the backfilling of the Site with clean fill, which will be sampled and submitted for laboratory analysis of petroleum constituents and disposal characteristics, prior to backfilling, to ensure that backfill materials are not contaminated. Two groundwater remedial performance monitoring events will be conducted and samples will be analyzed for VPH, EPH, dissolved lead, EDB, using EPA low flow/low stress methods. Remedial injections may be performed to reduce residual contaminant concentrations.

### **3.b. Description of Tasks and Activities (12 points)**

#### Project Implementation (6 points)

**Task 1: Cooperative Agreement Oversight:** The City will establish a Brownfields Committee comprised of local elected officials, business community, community organizations, economic development authority and stakeholders. MassDEP and EPA Brownfields staff will be invited to sit on the Committee. The City will prepare a Request for Proposal (RFP) and review responses to the RFP, conduct interviews and select a Qualified Environmental Professional (QEP) and Cleanup contractor. We will also perform program management and communication with regulatory personnel, community officials and the public. EPA ACRES reporting will be conducted throughout the duration of the project.

**Task 2: Community Engagement:** We will hold a series of quarterly public meetings to engage local stakeholders about the cleanup and proposed redevelopment. We will prepare public outreach materials and conduct extensive outreach and communication with residents and businesses prior to undertaking the cleanup/abatement efforts, during remediation, and following the successful completion of remediation. A Community Relations Plan (CRP) will be prepared.

**Task 3: Cleanup:** The cleanup oversight will be conducted by the City's QEP and cleanup will be conducted by licensed contractors. The details of the cleanup will be outlined in the Proposed Cleanup Plan and attached Draft ABCA.

**Task 4: Reporting and Reuse Planning:** The QEP will prepare the required MassDEP reports for the site, as outlined in the Proposed Cleanup Plan and attached Draft ABCA.

Task/Activity Lead (3 points): The Lynn Department of Public Works (DPW) Commissioner will serve as the Lead for Task 1-Cooperative Agreement Oversight, with support from the Brownfields Committee, QEP, Assessors Dept., and legal counsel. The DPW Commissioner and the Mayor's Office will lead Task 2-Community Engagement, with support from our Project partners, Health Dept. and QEP, including the use of translators. For Task 3-the DPW Commissioner will direct our QEP, which will include an LSP, for execution of Task 3, report preparation, and interpretation of federal and state regulatory requirements and interfacing with regulatory authorities. DPW Commissioner and the Mayor's Office will provide direction to City staff for implementation support. DPW Commissioner will lead Task 4-Reporting and Reuse Planning. We will obtain support from our QEP on reporting and support from the City Planner and EDIC Lynn on reuse.

Cost Share (3 points): The City anticipates the fulfillment of the cost share through staff labor (i.e., meetings, community outreach, QEP/Contractor management). There are underground irrigation lines in the park which will require removal prior to the cleanup and replacement as part of the restoration, which will be performed by the City and applied to the cost share. Dewatering

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<sup>22</sup> Characterizing Risks Posed by Petroleum Contaminated Sites: Implementation of the MADEP VPH/EPH Approach. Final Policy. Oct. 31, 2002

FY'19 EPA Brownfields Petroleum Cleanup Grant Application  
**Gas and Auto Service Station Site**, Brickyard Village, Lynn, MA

discharge costs will be applied to the cost share. The City will also apply personnel, heavy equipment, clean fill and grass seed/turf for Site restoration.

**SCHEDULE: The City will strive to complete the Cleanup within a 24-month duration**

Schedule of Activities in 3-Year Period		Year 1				Year 2				Year 3			
		1	2	3	4	5	6	7	8	9	10	11	12
<b>1</b>	Establish BF Committee	•											
	Issue RFP/Select QEP	•											
	Issue RFP/Select Cleanup Contractor			•									
	EPA reporting	•	•	•	•	•	•	•	•				
	BF Committee meetings	•	•	•	•	•	•	•	•				
<b>2</b>	Community Relations Plan	•											
	Public meetings	•	•	•	•	•	•	•	•				
<b>3</b>	Bid Specifications		•										
	Cleanup				•	•							
	Groundwater Performance Monitoring					•		•					
<b>4</b>	Draft ABCA Public Meeting	•											
	Finalize ABCA		•										
	RAM Plan		•										
	RAM Status Reports				•		•						
	Permanent Solution Statement							•					
	Reuse Planning		•		•		•		•				

**3.c. Cost Estimates and Outputs (10 points)**

**Cost Estimates (7 points)**

Budget Categories	Project Tasks				
	Task 1 Coop. Agreement Oversight	Task 2 Community Engagement	Task 3 Cleanup	Task 4 Reporting and Reuse Planning	Total
Personnel	\$2,500	\$2,500	\$2,500	\$2,500	<b>\$10,000</b>
Fringe Benefits*					
Travel	\$2,000				<b>\$2,000</b>
Equipment					
Supplies					
Contractual	\$1,700	\$1,700	\$264,600	\$20,000	<b>\$288,000</b>
Other					
<b>Total Federal Funding</b>	<b>\$6,200</b>	<b>\$4,200</b>	<b>\$267,100</b>	<b>\$22,500</b>	<b>\$300,000</b>
Cost Share (20% of requested federal funds)	\$2,500	\$2,500	\$52,500	\$2,500	<b>\$60,000</b>

\*Fringe Benefits are included in Personnel costs line item

**Task 1 Budget:** 50 staff hours (\$50/hr.) and \$1,700 QEP support; Travel is for one EPA Brownfields conference (i.e., est. \$2K conference for airfare, hotel, per diem, and expenses). *The cost share is anticipated to be \$2,500 for this task.*

**Task 2 Budget:** 50 staff hours (\$50/hr.) and \$1,700 QEP support. *The cost share is anticipated to be \$2,500 for this task.*

**Task 3 Budget:** 50 staff hours (\$50/hr.) and \$264,600 in Contractor support, including QEP support (oversight, sampling and lab analysis and equipment) and Cleanup contractor. *The cost share is anticipated to be \$52,500 for this task, which will include processing of buried construction & demolition (C&D) debris, discharge of treated groundwater, providing clean fill and performing site restoration activities, along with meetings and management.*

**Task 4 Budget:** 50 staff hours (\$50/hr.) and \$20,000 QEP support (reports) *The cost share is anticipated to be \$2,500 for this task.*

#### Outputs (3 points)

Outputs to be completed within the 3-year period of performance include establishment of Committee RFP, Contract with QEP and Cleanup Contractor; Active community engagement program that fosters two-way communication. Project schedules and milestones for activities from cleanup and reuse planning. Meetings, presentations, and materials, including multilingual documents, posters, flyers; Documents and reports, including: QAPP, CRP, ABCA, RAM Plan and Status Report(s). Cleanup data to assess potential risk to human health and/or the environment. A remediated site that achieves a “Permanent Solution” in compliance with MassDEP regulations and plan for site redevelopment.

#### **3.d. Measuring Environmental Results (5 points)**

Our anticipated outputs from the Brownfields Program are technical and quantitative reports that will provide the City with the next steps to move the site forward. We will also measure the success of public engagement by requesting our community partners to help us measure the qualitative and quantitative outcomes of community engagement. We will also measure project success beyond the completion of the Brownfields cleanup program by increases in tax revenue, number of jobs and decrease in crime. The Site will be brought into state compliance and attract developer interest for redevelopment. We will also measure the success of public engagement by requesting our community partners to help us measure the qualitative and quantitative outcomes of community engagement. We will also measure project success beyond the completion of the Brownfields Assessment program by increases in tax revenue, number of jobs, decrease in crime and redevelopment; prepare quarterly reports; and update ACRES to document site progress. The Site will achieve regulatory closure, paving the way towards redevelopment.

#### **4. PROGRAMMATIC CAPABILITY AND PAST PERFORMANCE (15 points)**

##### **4.a. Programmatic Capability (9 points)**

##### **4.a.i. Organizational Structure (5 points)**

This grant will be managed through the DPW Commissioner’s office and led by Andrew Hall, DPW Commissioner, with support from City departments all prepared to manage the EPA Brownfields Cleanup Grant project. Andrew brings over 23 years of public sector experience and routinely collaborates with City departments on projects throughout the city. Steven Babbitt, Chairman of Lynn Parks Commission and Lisa Nerich, Associate Commissioner of Lynn Parks and Recreation will provide support on park infrastructure and activities schedule. Michael Bertino, Chief Financial Officer, has over 20 years of finance experience in municipal, banking and corporate roles. His office will manage the grant budget and expenditures and will ensure all invoices are paid to grantees within 30 days, and that all back-up documentation is on file to

support expenditures of state and federal funds. His department is routinely monitored, reviewed and approved annually by independent auditors. The Lynn Public Schools Superintendent, Patrick Tutwiler, will provide support on redevelopment. EDIC Lynn is currently managing an EPA FY'17 Brownfields Community-Wide Assessment Grant and Cleanup Grant. EDIC Lynn will provide ongoing support to the City and DPW Commissioner throughout the duration of the Brownfield Program. William Bochnak (EDIC Lynn) has over 17 years of public sector experience and has managed numerous Brownfields Assessment and Cleanup projects throughout the city. In the event of DPW staff turnover, EDIC Lynn would become responsible for ongoing compliance/completion for the duration of the Grant period.

4.a.ii.. Acquiring Additional Resources (4 points)

We will seek support from municipal staff, city, state and federal agencies, and the private sector to support our Brownfields program. We will seek support from NJIT<sup>23</sup> for stakeholder workshops. Metropolitan Area Planning Council (MAPC) can provide urban and redevelopment planning support. City Fire, Police, and Health Dept. will provide safety, security and health support and the City Engineer to address infrastructure needs. Additional state agency support includes MSBA<sup>24</sup>, DHCD<sup>25</sup>, Mass. Dept. of Veterans Services, DPH, State Police, Dept. of Transportation and federal agencies include HUD and Veterans Affairs Dept.

**4.b. Past Performance and Accomplishments (6 points)**

4.b.i. Currently Has or Previously Received an EPA Brownfields Grant (6 points)

(1) Accomplishments (3 points)

The City of Lynn and EDIC Lynn have received two EPA Brownfield Hazardous Substances Assessment Grants and a Revolving Loan Fund (RLF). The EPA Brownfields funding provided the opportunity to conduct assessment, cleanup planning and community outreach, which ultimately spurred successful redevelopment in the target area. Accomplishments included assessment and cleanup of portions of the Waterfront, including improvements to the seawall, parking, and the construction of a new ferry terminal to Boston. The former Empire Laundry site was remediated and redeveloped into a single- family home reuse project that resulted in 6 new homes and contributed to the redevelopment of the Marshall's Wharf. Additionally, new construction of our Lynn Vocational Technical Institute in the target area was accomplished, which educates low income students in the trades industries in Lynn. The cleanup of abandoned Lynn Waterworks site resulted in the housing of low-income families.

(2) Compliance with Grant Requirements (3 points)

The City of Lynn has received an EPA Brownfield Hazardous Substances Assessment Grants (\$200K in 1997 and \$150K in 2000, both under Grant number BP99116001) to conduct assessments on the abandoned Tapley Building in the Waterfront and the former Empire Laundry site in the Downtown. In 1999, the City was awarded an RLF pilot (Cooperative Agreement # BL98108601) for \$93,926. Under the previous grants, the City complied with quarterly ACRES reporting requirements, including financial and progress reports and all monies have been expended. It is noted that some of the grant monies were not expended within the allotted timeline by a prior Project Manager. Since the hiring of new Brownfields Project Managers, the City has established an improved management and program tracking to ensure that grants are expended within the grant period.

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<sup>23</sup> New Jersey Institute of Technology provides Technical Assistance for Brownfields Communities Program for EPA Region 1

<sup>24</sup> Massachusetts School Building Authority

<sup>25</sup> Massachusetts Dept. of Housing and Economic Development

## **Leveraging Documentation**



*Commonwealth of Massachusetts*  
**EXECUTIVE OFFICE OF  
HOUSING & ECONOMIC DEVELOPMENT**  
ONE ASHBURTON PLACE, ROOM 2101  
BOSTON, MA 02108  
[www.mass.gov/eohed](http://www.mass.gov/eohed)

CHARLES D. BAKER  
GOVERNOR

KARYN E. POLITO  
LIEUTENANT GOVERNOR

JAY ASH  
SECRETARY

TELEPHONE  
(617) 788-3610

FACSIMILE  
(617) 788-3605

October 31, 2016

Mayor Judith Flanagan Kennedy  
City of Lynn  
3 City Hall Square  
Lynn, MA 01901

Dear Mayor Flanagan Kennedy:

Thank you for submitting an application for consideration during the 2016 MassWorks Infrastructure Program funding round.

On behalf of the Baker Administration, I am pleased to inform you that the Redevelopment of the former Beacon Chevrolet site was approved for a \$1,194,000 MassWorks Infrastructure Program grant. The Executive Office of Housing and Economic Development (EOHED) received 114 applications requesting \$287 million in funding and the selection process was highly competitive. A member of the MassWorks staff will contact the City of Lynn directly in the next month to set up a meeting to discuss specific requirements related to this award, as well as next steps.

Please be advised that this award letter does not act as a contract with EOHED for the grant award specified above. The City of Lynn should not proceed with any work on this project that is expected to be reimbursed through the MassWorks Infrastructure Program until a contract has been fully executed between EOHED and the City of Lynn. This letter of award is subject to the City of Lynn completing all necessary steps to allow both the public and private elements of the project to proceed as outlined in the submitted MassWorks application. This letter of award shall not confer any rights onto the City of Lynn.

If you have any questions about the award, please feel free to contact the MassWorks Infrastructure Program staff at 617-788-3631 or by email at [MassWorks@state.ma.us](mailto:MassWorks@state.ma.us).

Thank you for your participation in the MassWorks Infrastructure Program. We look forward to working with you to advance this important project.

Sincerely,

A handwritten signature in dark ink, appearing to read "Jay Ash", written over the printed name.

Secretary Jay Ash  
Executive Office Of Housing and Economic Development





*Commonwealth of Massachusetts*  
**EXECUTIVE OFFICE OF  
HOUSING & ECONOMIC DEVELOPMENT**  
ONE ASHBURTON PLACE, ROOM 2101  
BOSTON, MA 02108  
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CHARLES D. BAKER  
GOVERNOR

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LIEUTENANT GOVERNOR

JAY ASH  
SECRETARY

TELEPHONE  
(617) 788-3610

FACSIMILE  
(617) 788-3605

November 6, 2015

Mayor Judith Flanagan Kennedy  
City of Lynn  
3 City Hall Square  
Lynn, Massachusetts 01901

Dear Mayor Flanagan Kennedy,

Thank you for submitting an application for consideration during the 2015 MassWorks Infrastructure Program funding round.

On behalf of the Baker-Polito Administration, I would like to congratulate you on your project being selected for a \$2,500,000 MassWorks Infrastructure Program grant. The Executive Office of Housing and Economic Development (EOHED) received 101 applications requesting \$245 million in funding and the selection process was highly competitive.

All MassWorks grant recipients will receive a formal award letter and are required to execute a contract setting forth the scope of work and terms and conditions of the grant award. City of Lynn should not proceed with any work to be reimbursed through the MassWorks Infrastructure Program until that contract has been fully executed by EOHED and the City of Lynn. This letter is not binding on EOHED, does not confer any rights to the City, and shall be superseded by such contract upon execution.

MassWorks staff will be in touch with you soon to discuss next steps. If in the meantime you have any questions about the award, please feel free to contact the program staff at 617-788-3631 or by email at [MassWorks@state.ma.us](mailto:MassWorks@state.ma.us).

We look forward to working with you to advance this important project.

Sincerely,

A handwritten signature in cursive script that reads "Jay Ash".

Secretary Jay Ash  
Executive Office of Housing & Economic Development



## Massachusetts School Building Authority

*Funding Affordable, Sustainable, and Efficient Schools in Partnership with Local Communities*

# \$97.1M Grant awarded for Pickering and West Lynn Middle Schools

February 16, 2017

BOSTON - State Treasurer Deborah B. Goldberg, Chair of the Massachusetts School Building Authority ("MSBA"), and MSBA Executive Director John K. McCarthy announced today that the MSBA Board of Directors voted to approve a grant of up to \$97,100,607 million for a two school solution project for a new Pickering and West Lynn Middle Schools located in the City of Lynn. One of the next steps is for the District and the MSBA to enter into a Project Funding Agreement, which details the project's scope and budget, along with the conditions under which the District will receive its MSBA grant.

"Upon completion, these projects will provide a 21st century learning environment for Middle School students in Lynn," Treasurer Goldberg said. "Our goal is to create the best space to deliver the District's educational commitments and goals."

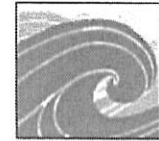
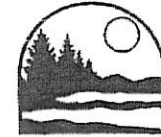
The proposed projects will address a number of deficiencies indicated by the District that include: overcrowding and space constraints, currently inhibiting the District's ability to deliver its educational program. The District also identified current building envelope conditions contributing to poor energy efficiency performance; outdated mechanical, electrical, and plumbing systems; non-compliant accessibility; and damage due to water infiltration. Upon completion, the two school solution will serve over 1,600 students in grades 6-8.

"Students in Lynn will benefit from this plan, which will enhance and improve their ability to excel in the classroom," stated Executive Director McCarthy.

The MSBA partners with Massachusetts communities to support the design and construction of educationally appropriate, flexible, sustainable and cost-effective public school facilities. Since its 2004 inception, the Authority has made over 1,750 site visits to more than 250 school districts as part of its due diligence process and has made over \$12.4 billion in reimbursements for school construction projects.



*The Commonwealth of Massachusetts*  
*Executive Office of Energy and Environmental Affairs*



*Governor Charles D. Baker*  
*Lt. Governor Karyn E. Polito*  
*Secretary Matthew A. Beaton*

# COASTAL COMMUNITY RESILIENCE GRANT PROGRAM

## LYNN

**\$73,000 to Incorporate Resilience into Waterfront Planning  
and Infrastructure Upgrades**

A handwritten signature in cursive script, reading "Karyn E. Polito".

August 21, 2015

Date

## COMMONWEALTH OF MASSACHUSETTS ~ STANDARD CONTRACT FORM



This form is jointly issued and published by the Executive Office for Administration and Finance (ANF), the Office of the Comptroller (CTR) and the Operational Services Division (OSD) as the default contract for all Commonwealth Departments when another form is not prescribed by regulation or policy. Any changes to the official printed language of this form shall be void. Additional non-conflicting terms may be added by Attachment. Contractors may not require any additional agreements, engagement letters, contract forms or other additional terms as part of this Contract without prior Department approval. Click on hyperlinks for definitions, instructions and legal requirements that are incorporated by reference into this Contract. An electronic copy of this form is available at [www.mass.gov/osc](http://www.mass.gov/osc) under Guidance For Vendors - Forms or [www.mass.gov/osd](http://www.mass.gov/osd) under OSD Forms.

<b>CONTRACTOR LEGAL NAME:</b> City of Lynn (and d/b/a):		<b>COMMONWEALTH DEPARTMENT NAME:</b> Executive Office of Energy & Environmental Affairs <b>MMARS Department Code:</b> ENV	
<b>Legal Address:</b> (W-9, W-4, T&C): Lynn City Hall, 3 City Hall Square, Room 307, Lynn, MA 01901		<b>Business Mailing Address:</b> CZM, 251 Causeway Street, Room 800, Boston, MA 02114	
<b>Contract Manager:</b> Bill Bochnak		<b>Billing Address</b> (if different):	
<b>E-Mail:</b> wbochnak@edicylenn.org		<b>Contract Manager:</b> Patricia Bowie	
<b>Phone</b> (781) 581-9399		<b>E-Mail:</b> Patricia.Bowie@state.ma.us	
<b>Contractor Vendor Code:</b> VC6000192109		<b>Phone:</b> 617 626-1186 <b>Fax:</b> 617-626-1240	
<b>Vendor Code Address ID</b> (e.g. "AD001"): AD 001 (Note: The Address ID must be set up for EFT payments.)		<b>MMARS Doc ID(s):</b> ENV <b>RFR/Procurement or Other ID Number:</b> ENV 16 CZM 01	
<input checked="" type="checkbox"/> <b>NEW CONTRACT</b> <b>PROCUREMENT OR EXCEPTION TYPE:</b> (Check one option only) <input type="checkbox"/> <b>Statewide Contract</b> (OSD or an OSD-designated Department) <input type="checkbox"/> <b>Collective Purchase</b> (Attach OSD approval, scope, budget) <input checked="" type="checkbox"/> <b>Department Procurement</b> (includes State or Federal grants 815 CMR 2.00) (Attach RFR and Response or other procurement supporting documentation) <input type="checkbox"/> <b>Emergency Contract</b> (Attach justification for emergency, scope, budget) <input type="checkbox"/> <b>Contract Employee</b> (Attach Employment Status Form, scope, budget) <input type="checkbox"/> <b>Legislative/Legal or Other:</b> (Attach authorizing language/justification, scope and budget)		<input type="checkbox"/> <b>CONTRACT AMENDMENT</b> Enter Current Contract End Date <b>Prior</b> to Amendment: _____, 20____. Enter Amendment Amount: \$ _____. (or "no change") <b>AMENDMENT TYPE:</b> (Check one option only. Attach details of Amendment changes.) <input type="checkbox"/> <b>Amendment to Scope or Budget</b> (Attach updated scope and budget) <input type="checkbox"/> <b>Interim Contract</b> (Attach justification for Interim Contract and updated scope/budget) <input type="checkbox"/> <b>Contract Employee</b> (Attach any updates to scope or budget) <input type="checkbox"/> <b>Legislative/Legal or Other:</b> (Attach authorizing language/justification and updated scope and budget)	
The following <b>COMMONWEALTH TERMS AND CONDITIONS</b> (T&C) has been executed, filed with CTR and is incorporated by reference into this Contract. <input checked="" type="checkbox"/> Commonwealth Terms and Conditions <input type="checkbox"/> Commonwealth Terms and Conditions For Human and Social Services			
<b>COMPENSATION:</b> (Check ONE option): The Department certifies that payments for authorized performance accepted in accordance with the terms of this Contract will be supported in the state accounting system by sufficient appropriations or other non-appropriated funds, subject to intercept for Commonwealth owed debts under 815 CMR 9.00. <input type="checkbox"/> <b>Rate Contract</b> (No Maximum Obligation. Attach details of all rates, units, calculations, conditions or terms and any changes if rates or terms are being amended.) <input checked="" type="checkbox"/> <b>Maximum Obligation Contract</b> Enter Total Maximum Obligation for total duration of this Contract (or <b>new</b> Total if Contract is being amended): <b>\$73,000.00</b>			
<b>PROMPT PAYMENT DISCOUNTS (PPD):</b> Commonwealth payments are issued through <b>EFT</b> 45 days from invoice receipt. Contractors requesting accelerated payments must identify a PPD as follows: Payment issued within 10 days ___% PPD; Payment issued within 15 days ___% PPD; Payment issued within 20 days ___% PPD; Payment issued within 30 days ___% PPD. If PPD percentages are left blank, identify reason: <input checked="" type="checkbox"/> agree to standard 45 day cycle <input type="checkbox"/> statutory/legal or Ready Payments (G.L. c. 29, § 23A); <input type="checkbox"/> only initial payment (subsequent payments scheduled to support standard EFT 45 day payment cycle. See Prompt Pay Discounts Policy.)			
<b>BRIEF DESCRIPTION OF CONTRACT PERFORMANCE or REASON FOR AMENDMENT:</b> (Enter the Contract title, purpose, fiscal year(s) and a detailed description of the scope of performance or what is being amended for a Contract Amendment. Attach all supporting documentation and justifications.) FY16 Coastal Resiliency Grant. Lynn Waterfront Resiliency Assessment			
<b>ANTICIPATED START DATE:</b> (Complete ONE option only) The Department and Contractor certify for this Contract, or Contract Amendment, that Contract obligations: <input checked="" type="checkbox"/> 1. may be incurred as of the <b>Effective Date</b> (latest signature date below) and <b>no</b> obligations have been incurred <b>prior</b> to the <b>Effective Date</b> . <input type="checkbox"/> 2. may be incurred as of _____, 20____, a date <b>LATER</b> than the <b>Effective Date</b> below and <b>no</b> obligations have been incurred <b>prior</b> to the <b>Effective Date</b> . <input type="checkbox"/> 3. were incurred as of _____, 20____, a date <b>PRIOR</b> to the <b>Effective Date</b> below, and the parties agree that payments for any obligations incurred prior to the <b>Effective Date</b> are authorized to be made either as settlement payments or as authorized reimbursement payments, and that the details and circumstances of all obligations under this Contract are attached and incorporated into this Contract. Acceptance of payments forever releases the Commonwealth from further claims related to these obligations.			
<b>CONTRACT END DATE:</b> Contract performance shall terminate as of <b>06/30/2016</b> , with no new obligations being incurred after this date unless the Contract is properly amended, provided that the terms of this Contract and performance expectations and obligations shall survive its termination for the purpose of resolving any claim or dispute, for completing any negotiated terms and warranties, to allow any close out or transition performance, reporting, invoicing or final payments, or during any lapse between amendments.			
<b>CERTIFICATIONS:</b> Notwithstanding verbal or other representations by the parties, the "Effective Date" of this Contract or Amendment shall be the latest date that this Contract or Amendment has been executed by an authorized signatory of the Contractor, the Department, or a later Contract or Amendment Start Date specified above, subject to any required approvals. The Contractor makes all certifications required under the attached <b>Contractor Certifications</b> (incorporated by reference if not attached hereto) under the pains and penalties of perjury, agrees to provide any required documentation upon request to support compliance, and agrees that all terms governing performance of this Contract and doing business in Massachusetts are attached or incorporated by reference herein according to the following hierarchy of document precedence, the applicable <b>Commonwealth Terms and Conditions</b> , this Standard Contract Form including the <b>Instructions and Contractor Certifications</b> , the Request for Response (RFR) or other solicitation, the Contractor's Response, and additional negotiated terms, provided that additional negotiated terms will take precedence over the relevant terms in the RFR and the Contractor's Response only if made using the process outlined in <b>801 CMR 21.07</b> , incorporated herein, provided that any amended RFR or Response terms result in best value, lower costs, or a more cost effective Contract.			
<b>AUTHORIZING SIGNATURE FOR THE CONTRACTOR:</b> X: <u>[Signature]</u> Date: <u>10/6/2015</u> (Signature and Date Must Be Handwritten At Time of Signature) Print Name: <u>James M. Cowdell</u> Print Title: <u>Executive Director</u>		<b>AUTHORIZING SIGNATURE FOR THE COMMONWEALTH:</b> X: _____ Date: _____ (Signature and Date Must Be Handwritten At Time of Signature) Print Name: <u>William Nichols</u> Print Title: <u>Controller, EEA</u>	

COMMONWEALTH OF MASSACHUSETTS ~ STANDARD CONTRACT FORM



ATTACHMENT B  
Project Budget

The City of Lynn shall be paid an amount of \$73,000 as a grant per an award under RFR ENV 16 CZM 01 (FY16 Coastal Resiliency Grant Program). Payment will be made in accordance with the following schedule:

FY 2016	<b>\$73,000.00</b>	Upon request from the municipality, after partial and/or final completion of work.
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Mass.gov

# Chapter 90 apportionment

Chapter 90 distribution chart for fiscal year 2019 (ordered by city/town).

City/Town	Highway District	Miles 2017	Population 2010	Employment 2017	Amount
ABINGTON	5	60.43	15,985	4,115	\$388,565
ACTON	3	107.36	21,924	10,095	\$682,609
ACUSHNET	5	59.45	10,303	1,497	\$317,144
ADAMS	1	54.03	8,485	1,813	\$288,050
AGAWAM	2	122.31	28,438	12,153	\$807,523
ALFORD	1	17.34	494	21	\$71,539
AMESBURY	4	59.73	16,283	4,887	\$397,004
AMHERST	2	99.90	37,819	17,414	\$842,339
ANDOVER	4	188.20	33,201	34,404	\$1,363,938
AQUINNAH	5	8.23	311	84	\$35,338

City/Town	Highway District	Miles 2017	Population 2010	Employment 2017	Amount
LUDLOW	2	123.15	21,103	6,798	\$699,828
LUNENBURG	3	81.70	10,086	2,488	\$415,087
LYNN	4	160.30	90,329	24,347	\$1,497,075
LYNNFIELD	4	67.80	11,596	5,949	\$411,650
MALDEN	4	94.14	59,450	13,562	\$911,106
MANCHESTER	4	22.91	5,136	1,594	\$141,826
MANSFIELD	5	114.61	23,184	12,248	\$744,966
MARBLEHEAD	4	68.45	19,808	5,208	\$457,541
MARION	5	28.75	4,907	2,229	\$170,960
MARLBOROUGH	3	133.82	38,499	30,623	\$1,138,581
MARSHFIELD	5	131.11	25,132	6,480	\$752,904
MASHPEE	5	114.06	14,006	5,289	\$600,830
MATTAPOISETT	5	42.57	6,045	1,969	\$229,364
MAYNARD	3	41.07	10,106	3,298	\$265,296
MEDFIELD	3	71.59	12,024	3,044	\$394,352
MEDFORD	4	91.62	56,173	18,869	\$944,081
MEDWAY	3	69.51	12,752	3,494	\$396,211





## LOCAL GOVERNMENT AND POLITICS, NEWS

# LYNN'S STREET LIGHTS ARE GOING LED

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BY THOMAS GRILLO | May 11, 2018

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LYNN — Motorists and pedestrians may not notice, but the city is switching to LED street lights because they're more efficient, last longer, and save money.

In an effort to reduce energy costs and take advantage of cash incentives, Lynn will spend \$2.3 million to outfit the 6,500 so-called cobra head street lights.

"This was a no brainer," said Michael Donovan, director of the Inspectional Services Department (ISD). "Nearly 50 percent of the cost is being covered and we will save \$450,000 in energy costs, or 53 percent annually, by converting to LED."

The Metropolitan Area Planning Council, a regional planning agency, is contributing a \$780,000 grant to the effort and National Grid, one of the largest investor-owned energy companies in the world will contribute \$420,000.

In 2009, the city bought the street lights from National Grid for \$1.2 million. Following the purchase, ISD replaced worn lamps and fixtures.

LED proponents say among the chief advantages of the lights is they have extremely long lives, don't have filaments that can quickly burn out, and they don't contain toxic chemicals.

Work is expected to get started after Labor Day and completed next spring, Donovan said.

Lynn is in the process of seeking a "Green Community" designation by the state Department of Energy Resources on how they can go green and earn green.

In order to qualify, the city must adopt new rules that allow for as-of-right permitting for renewable or alternative energy facilities and agree to purchase fuel efficient vehicles.

The state funds could be used to buy electric vehicles, energy efficient or renewable energy HVAC systems, and LED lighting.

Marblehead is also wants to go green. This week Town Meeting directed officials to seek the state's "Green Communities" designation late Monday.

If the town gets the green light from the state Department of Energy Resources, Marblehead will join the 210 Bay State communities who have reduced their energy consumption and saved money.



### Thomas Grillo

Thomas Grillo is an award-winning business reporter who has worked at Boston's major newspapers covering real estate trends including the emergence of Assembly Square in Somerville and chronicling the growth of Boston's Seaport District. Thomas covers Peabody and Lynnfield. Follow him on Twitter [@BosBizThomas](https://twitter.com/BosBizThomas).

Thomas Grillo can be reached at [tgrillo@itemlive.com](mailto:tgrillo@itemlive.com)

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**Threshold Criteria**

## **THRESHOLD CRITERIA FOR CLEANUP GRANTS**

### **1. Applicant Eligibility**

The City of Lynn, Massachusetts is eligible to apply for an EPA Brownfields Assessment grant because it is a General Purpose Unit of Government.

### **2. Previously Awarded Cleanup Grants**

The Site has not received funding from a previously awarded an EPA Brownfields Cleanup Grant.

### **3. Site Ownership**

The City of Lynn is the sole owner of the Site.

### **4. Basic Site Information**

- a) **Name of Site:** Gasoline and Service Station Site
- b) **Address:** 90 Commercial Street Lynn, MA 01905
- c) **Owner:** The City of Lynn is the current owner of the Site

### **5. Status and History of Contamination at Site**

- a) The Site is contaminated by petroleum

- b.) Operation history and current use of the Site:

The Site operated as a gasoline station and automotive service station from the 1930s to the 1970s. The City redeveloped the Site in the late 1970s as the southwestern portion of the 9-acre acre Neptune Blvd. Park and McManus Field.

- c.) Environmental concerns at the site

A release of petroleum was discovered at the Site in 2016, based on the results of soil and groundwater assessment activities. The release triggered a Massachusetts Contingency Plan (MCP)<sup>1</sup> reporting condition and is listed by the Massachusetts Department of Environmental Protection (MassDEP) as a petroleum release site and assigned Release Tracking Number (RTN) 3-34079.

- (d ) How the site became contaminated and the nature and extent of contamination

Based on the results of a geophysical survey conducted in 2018, **six abandoned underground storage tanks (USTs)**, were discovered, three of which are depicted on historic Sanborn maps. The USTs are the likely the source of petroleum contamination. The release has migrated to Site soil and groundwater and does not extend beyond the 15,000 square foot area of the southwestern portion of the overall property.

### **6. Brownfields Site Definition:** The Site is (a) not listed or proposed for listing on the National Priorities List; (b) Not subject to unilateral administrative orders, court orders,

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<sup>1</sup> The Massachusetts Contingency Plan is the state's environmental regulation that provides for the protection of health, safety, public welfare and the environment by establishing requirements and procedures for the activities and cleanup of oil or hazardous materials

FY'19 EPA Brownfields Petroleum Cleanup Grant Application  
**Gas and Auto Service Station Site, Brickyard Village, Lynn, MA**

administrative orders on consent, or judicial consent decrees issued to or entered into parties under CERCLA and (c) not subject to the jurisdiction, custody, or control of the U.S. government.

**7. Environmental Assessment Required for Cleanup Proposals:**

A Phase II Environmental Site Assessment was performed in 2016, which included the collection and laboratory analysis of soil and groundwater. The results were documented in a MCP Phase I Initial Site Assessment and Tier Classification Report, dated March 28, 2018.

- 8. Enforcement or Other Actions:** There are no known ongoing or anticipated environmental enforcement or other actions related to the Brownfields site for which funding is sought. There are no inquiries or orders from federal, state, or local government entities that the City is aware of regarding the responsibility of any party (including the applicant) for the contamination, or hazardous substances at the site, including any liens.

- 9. Sites Requiring a Property-Specific Determination:** The property does not require a Property-Specific Determination.

**10. Threshold Criteria Related to CERCLA/Petroleum Liability**

**b. Property Ownership Eligibility-Petroleum Site.**

- 1) Current and Immediate Past Owners: The City of Lynn is the current Site property owner. Historic Site owners include R&H Oil Co., Autobody, Inc., and Pat's Auto Service/Gas Station.
- 2) Acquisition of the Site: The Site property was acquired through eminent domain.
- 3) No Responsible Party for the Site: The City of Lynn (i) **Did not** dispense or dispose of petroleum or petroleum or petroleum product, or exacerbated the existing contamination at the site; (ii) **Did not** own the site when any dispensing or disposal of petroleum (by others) took place; and (iii) **Did** take reasonable steps with regard to contamination at the site
- 4) Cleaned up by a Person Not Potentially Liable: The City of Lynn(1) **Did not** dispense or dispose of petroleum or petroleum or petroleum product, or exacerbated the existing contamination at the site. The Town **did** take reasonable steps with regard to contamination at the site by performing assessment activities and maintaining the Site to mitigate contaminant exposure.
- 5) Judgements, Orders, or Third Party Suits: The following **do not apply** to the site: (a) a judgment rendered in a court of law or an administrative order that would require any person to assess, investigate, or clean up the site; or (b) an enforcement action by federal or state authorities against any party that would require any person to assess, investigate, or clean up the site; or (c) a citizen suit, contribution action, or other third-party claim brought against the current or immediate past owner, that would, if successful, require the assessment, investigation, or cleanup of the site.
- 6) Subject to RCRA: The site is **not** subject to any order under section 9003(h) of the Solid Waste Disposal Act.

FY'19 EPA Brownfields Petroleum Cleanup Grant Application  
**Gas and Auto Service Station Site, Brickyard Village, Lynn, MA**

- 7) Financial Viability of Responsible Parties It is the City of Lynn's understanding that the former property owners do not have the financial capability to satisfy their obligations under federal or state law to assess, investigate, or clean up the site.

**11. Cleanup Authority and Oversight Structure**

- a. The site is currently designated as a MCP disposal site under Release Tracking Number (RTN) 3-34079 and enrolled in the MassDEP environmental program. All Cleanup activities will be conducted in adherence to the Massachusetts Contingency Plan (MCP), 310 CMR 40.000.
- b. Access to abutting or off-site properties not owned by the City are not anticipated for Site cleanup.

**12. Community Notification**

A public notice was published in The Lynn Daily Item newspaper on January 10, 2019 (see attachment). A public meeting was held on January 15, 2019. There were no attendees at the public meeting, with the exception of the City of Lynn representatives and Ransom Consulting, Inc. The attached sign-in sheet lists the meeting attendees. There were no public comments to the draft Cleanup Grant Application or the attached Draft Analysis of Brownfield Cleanup Alternatives (ABCA).

**13. Statutory Cost Share**

- a. The 20 percent cost share will be met through the use of labor, equipment and materials for cleanup restoration costs and for staff support for Cooperative Agreement Oversight, Community Engagement, Cleanup and Reporting.
- b. A hardship waiver of the cost share is not being requested.

**Community Notification Documents**  
**Draft ABCA**



**Analysis of Brownfields Cleanup Alternatives-Preliminary Evaluation**  
**Former Gas and Auto Service Station**  
**90 Commercial Street**  
**Lynn, Massachusetts**

## **I. Introduction & Background**

### **Site Location**

The Site is located at 90 Commercial Street Lynn, Massachusetts, USA, (herein referred to as the "Site").

### Forecasted Climate Conditions

According to the Massachusetts Climate Change Adaption Report<sup>1</sup>, the impacts of climate change are wide-ranging and growing in severity in Massachusetts, with impacts from sea level rise, storm events, flooding, greenhouse gas emissions and changing weather patterns. As a coastal state, storm surges have broad implications and impacts to infrastructure, natural resources and ecosystems, including drinking water supplies. The financial impacts are expected to be very high.

### **Previous Site Use(s) and any previous cleanup/contamination**

The Site consists an approximate 55,000 square foot (SF) area developed as the southwestern portion of the 9-acre Neptune Boulevard Park and McManus Field, currently used as a public park and recreational area.

According to the historical documentation, the Site address was listed as 160-166 Commercial Street.

- From at least the late 1880s, the Site was developed as residential and commercial use.
- In the 1890s, the Site was occupied by a cutting board and wood turner manufacturer.
- In the early 1900s, the Site was occupied by a leather remnants company.
- From at least the 1930s to the 1940s, the Site was occupied by a gas station, with three tanks depicted in a historic Sanborn map. Occupants/tenants included R&H Oil Co.
- From the 1950s to the 1970s, the Site was occupied by a gas station, automotive service facility and autobody facility. Occupants/tenants included Autobody, Inc., Pat's Auto Service/Gas Station
- The Site was developed as a park and recreational area in the late 1970s.

Soil and groundwater assessment activities were performed at the Site in November 2016. Based on concentrations of petroleum hydrocarbons detected in soil exceeding applicable

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<sup>1</sup> Climate Change Adaptation Report. Executive Office of Energy and Environmental Affairs and the Adaptation Advisory Committee. September 2011

Massachusetts Contingency Plan (MCP) reporting concentrations, the Massachusetts Department of Environmental Protection (MassDEP) assigned Release Tracking Number (RTN) 3-34079 to the release. A Phase I Initial Site Investigation, Tier Classification and Phase II Scope of Work were submitted to MassDEP upon behalf of the City of Lynn in March 2018.

A geophysical survey was performed in December 2018, which revealed the presence of six suspect underground storage tanks (USTs).

### **Site Assessment Findings**

Based on the results of Site assessment activities, concentrations of Volatile Petroleum Hydrocarbons (VPH) and Extractable Petroleum Hydrocarbons (EPH) are likely attributable to the suspect USTs associated with the former gas/service station. The MCP Disposal Site boundary measures an approximately 15,000 square foot (SF) area. However, the former UST area measures an approximately 2,500 SF area. Petroleum impacts extend from approximately 4 feet to 8 feet below ground surface (bgs) and restricted to the property boundary. Groundwater has been encountered at approximate depths ranging from 6 to 7 feet bgs.

### **Project Goal (Site reuse plan)**

The owner has established plans to clean up and redevelop the property for to redevelop the Site as a middle school.

### **Applicable Regulations**

Site Cleanup will be conducted pursuant to the Massachusetts Contingency Plan (MCP), 310 CMR 40.0000. Additional applicable local, state and federal regulatory requirements will be adhered to, including the appropriate procurement of contractors.

The applicable regulation is the Massachusetts Contingency Plan (MCP).

### **Applicable Cleanup Standards**

The applicable MCP Standards for the Site are Method 1 Soil Cleanup Standards and MCP Method 1 (S-1) Soil and Groundwater (GW-2/GW-3) Standards.

### **Cleanup Oversight Responsibility**

In 1993, Massachusetts created a model program that privatized the cleanup of hazardous waste sites in the Commonwealth. Licensed Site Professionals (LSPs) are authorized by the Commonwealth to work on behalf of property owners, operators, and other responsible parties to oversee the assessment and cleanup of contamination that has been released into the environment. LSPs are scientists, engineers, and public health specialists with significant professional expertise in oil and hazardous material contamination. LSPs are governed by the Massachusetts Board of Registration of Hazardous Waste Site Cleanup Professionals, also known as the LSP Board. Assessment and cleanup activities are conducted pursuant to the Massachusetts Contingency Plan (MCP). EDIC Lynn is conducting voluntary site cleanup.

## **Cleanup Alternatives**

### a. Description of Cleanup Alternatives

To address contamination at the Site, three different alternatives were considered including Alternative #1: No Remedial Action; Alternative #2, Cleanup and Post-Remedial Monitoring #3, Institutional Controls, Passive Containment

#### **Alternative #1: No Remedial Action**

- The “No Action” alternative assumes that no additional remedial efforts are implemented to address elevated concentrations petroleum hydrocarbons impacts at the Site. The “No Action” alternative can provide a basis for assessing the effects of implementing remedial actions; however, it does not directly reduce the toxicity, mobility or volume of impacted soils or sediment. This response action alternative does not reduce Site risks associated with groundwater that may be impacted in the future, and provides no additional protection to human health or public welfare. Additionally, the contaminants of concern are at levels that do not naturally attenuate and therefore “No Action” does would not reduce potential risk to human health and/or the environment in the long term.

#### **Alternative #2: Ex-Situ Remediation and Post-Remedial Groundwater Monitoring**

- **Soil excavation** is an effective approach for source removal. The primary purpose of is to remove impacted media, and thus control potential exposure risks. Excavation involves the removal of impacted soil that presents a potential direct contact risk, along with soil which may serve as a continuing source of petroleum hydrocarbon and VOCs to Site groundwater. The impacted soil is removed from its current setting and transported off-Site for contaminant removal, recycling and/or disposal. Soil excavation could potentially provide limited source removal and is feasible for shallow Site soils, including areas of future underground utilities.
- Groundwater **monitoring** is conducted as a measure to assess the effectiveness of the cleanup. Groundwater is collected from monitoring wells at area within and/or hydraulically downgradient of the cleanup area.

#### **Alternative #3: Institutional Controls, Passive Containment, Monitoring**

- **Institutional controls** are mechanisms to limit access to impacted media and include alternatives such as fencing, barriers, and Activity and Use Limitations (AULs) in the form of deed restrictions. While institutional controls do not eliminate contamination, they can provide an effective, low cost means of reducing exposure potential, and thus risk, if properly maintained and enforced. Institutional controls may be effective in mitigating exposure to VOC, petroleum hydrocarbon and metals-impacted soils in locations at which it may be infeasible to reach background conditions. Implementation of an AUL on a Site property to restrict access to impacted groundwater (other than as “exposure pathway elimination measures” or to restrict access to drinking water) is not supported by MassDEP. However, AULs may be implemented to ensure that engineering controls be maintained to mitigate potential risk.

- **Passive Containment:** The primary purpose of containment technologies is to isolate impacted media, and thus control potential exposure risks. Passive containment involves placement of horizontal physical barriers, such as a cap, sealant or membrane, or vertical barriers such as a grout curtain, slurry wall, or sheet piling in the areas of contamination.
- **Monitoring:** Refer to Alternative #1

**b. Evaluation of Cleanup Up Alternatives**

*Effectiveness-Including Climate Change Considerations:*

1. **Alternative #1: No Remedial Action**

Alternative #1 is not effective in controlling or preventing the exposure of Site OHM to human or environmental receptors.

2. **Alternative #2: Ex-Situ Remediation and Post-Remedial Groundwater Monitoring**

Alternative #2 is effective at removing the sources of OHM and preventing the migration of OHM sources to human and environmental receptors. Groundwater monitoring is effective at assessing the success of the cleanup. Implementation of an AUL is an effective administrative control to mitigate potential impacts to receptors.

3. **Alternative #3: Institutional Controls, Passive Containment and Monitoring**

Although Alternative #3 mitigates direct exposure to contaminated soil, it does not remediate the OHM sources and does not prevent migration of OHM in groundwater to human or environmental receptors. Long-term groundwater monitoring is effective at assessing potential impacts to receptors. Implementation of an AUL is an effective administrative control to mitigate potential soil impacts to receptors.

*General Climate Consideration Notes:*

Storm water design will be incorporated as part of Site development. In addition, the cleanup design will include the implementation of storm water controls.

*Implementability:*

1. **Alternative #1: No Remedial Action and Monitoring**

- No remedial action is conducted and is readily implementable;
- Monitoring: There is low to moderate technical complexity associated with implementability.

2. **Alternative #2: Ex-Situ Remediation and Post-Remedial Groundwater Monitoring**

- Ex-Situ Technologies: There is moderate technical complexity associated with implementability.
- Monitoring: There is low to moderate technical complexity associated with implementability.

3. **Alternative #3: Institutional Controls, Passive Containment and Monitoring:**

- Institutional Controls: An AUL is readily implementable.

- **Passive Horizontal Containment:** There is moderate technical complexity associated with implementability.
- **Monitoring:** There is low to moderate technical complexity associated with implementability.

Cost:

1. **Alternative #1: No Remedial Action and Monitoring:** The estimated cost to implement this option is \$140K to \$160K
2. **Alternative #2: Ex-Situ Remediation and Post-Remedial Groundwater Monitoring:** The estimated cost to implement this option is \$250K to \$300K.
3. **Alternative #3: Institutional Controls, Passive Containment and Monitoring:** The estimated cost to implement this option is \$75 to \$100K.

**c. Recommended Cleanup Up Alternative**

The recommended cleanup alternative is: **Alternative #2: Ex-Situ Remediation and Post-Remedial Groundwater Monitoring**

**Community Notification Documents**  
**Community Notification Ad**

**PUBLIC NOTICE**

**Draft EPA Brownfields Petroleum Cleanup Grant Application  
Neptune Blvd. Park-McManus Field  
90 Commercial Street., Lynn, MA**

A Draft EPA Brownfields Petroleum Cleanup Grant Application for the Neptune Park-McManus Field in Lynn, Massachusetts will be available for public review and comment.

The Draft Grant Application includes an Analysis of Brownfields Cleanup Alternatives (ABCA), which will be available for review at the Department of Public Works (DPW), 250 Commercial Street, Lynn, MA during business hours Mon, Wed, Thurs: 8:30 AM to 4:00 PM, Tues: 8:30 AM to 8:00 PM and Friday, 8:30 AM to 12:30 PM.

The spokesperson representing DPW on this Grant Application is Andrew Hall, DPW Commissioner, who can be reached in person by appointment at the above address, by email at [ahall@lynnma.gov](mailto:ahall@lynnma.gov) and by phone at (781) 268-8000.

A public meeting to discuss the Cleanup Grant Application and to receive comments will be held on Tuesday, January 15, 2019, at 6:00 PM. at City Hall, Room 102A, 3 City Hall Square, Lynn, MA.  
Item: January 10, 2019



**Community Notification Documents**  
**Public Meeting Sign-In Sheet**

## SIGN-IN SHEET-PUBLIC MEETING

**January 15, 2019**

# EPA Brownfields Cleanup Grant Application

**Former Gasoline and Automotive Service Station, 90 Commercial Street, Lynn, MA**

[illegible]



Commonwealth of Massachusetts  
Executive Office of Energy & Environmental Affairs

## Department of Environmental Protection

One Winter Street Boston, MA 02108 • 617-292-5500

Charles D. Baker  
Governor

Karyn E. Polito  
Lieutenant Governor

Matthew A. Beaton  
Secretary

Martin Suuberg  
Commissioner

December 7, 2018

U.S. EPA New England  
Brownfields Project Officer  
Attn: Alan Peterson  
5 Post Office Square, Suite 100  
Boston, MA 02109-3912  
Mailcode OSRR07-02

Subject: **STATE PETROLEUM ELIGIBILITY DETERMINATION**  
Commercial Street (Lynn Assessors' Map 52, Lot 742-33), Lynn,  
Massachusetts

Dear Mr. Peterson:

The Massachusetts Department of Environmental Protection (MassDEP) has been requested by the EDIC of Lynn ("EDIC") to make a determination as to whether the property listed above ("site" or "property") meets the definition of a Brownfield site and whether it is eligible to use U.S. Environmental Protection Agency ("EPA") Brownfields Assessment Grant funding, which was received during EPA's FY17 Petroleum Site Assessment grant round. The City of Lynn ("City") currently owns the site, which has been a park/playground since the 1970s. The site was formerly comprised of several smaller parcels consisting of industrial, commercial, and residential properties. Previous ownership of these parcels is not known at this time. The City would like to develop the property as a Middle School.

In March 2017, MassDEP assigned Release Tracking Number (RTN) 3-0034079 to this property due to a release of petroleum hydrocarbons and polynuclear aromatic hydrocarbons (PAHs) in soil and groundwater.

EPA requires that MassDEP make a determination that any petroleum-contaminated site seeking to use EPA Brownfield Assessment Grant funding meets certain eligibility requirements. MassDEP is following EPA guideline criteria for eligibility determinations. After a review of available records and the information provided by the City and EDIC's consultant, Ransom Environmental, MassDEP has determined that the following information supports a positive Petroleum Eligibility Determination:

1. Known petroleum contamination has been documented at the Site and has been reported to MassDEP. Historical information indicates that the property was formerly comprised of several separate parcels of land owned by several separate entities. Contamination of the

This information is available in alternate format. Contact Michelle Waters-Ekanem, Director of Diversity/Civil Rights at 617-292-5751.

TTY# MassRelay Service 1-800-439-2370

MassDEP Website: [www.mass.gov/dep](http://www.mass.gov/dep)

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property likely occurred from the former uses of the site and not while the City has owned the property.

2. Viability of the City has not been demonstrated; however, the City did not own the property when petroleum was used and is therefore not a liable party.
3. The site is not currently being assessed or cleaned up using Leaking Underground Storage Tank (LUST) funds, nor is it subject to a response under the Oil Spill Act. For these reasons, the site is a "relatively low risk" site as defined by EPA.
4. Available records do not indicate that the applicant (EDIC) or the City have dispensed or disposed of or owned the property during the dispensing or disposal of petroleum. In addition, available information does not indicate that the applicant or the City have conducted activities that would exacerbate potential contamination.
5. There are no Judgments, Orders, or Third Party Suits that identify and require a responsible party to assess, investigate, or cleanup this property.
6. This property is not subject to any order under §9003(h) of the Resource Conservation and Recovery Act (RCRA).

**HOWEVER**, the following information is not known:

1. The immediate previous owners of the site.

**THEREFORE**, MassDEP is unable to make a positive or negative determination for the following requirement:

1. Liability/viability of immediate previous owners: The immediate previous owners are not known; therefore, their liability/viability cannot be determined.

Therefore, based on the above information, MassDEP has determined that the property meets the requirements set forth by the EPA for a **positive petroleum eligibility determination with conditions**. Specifically, if environmental assessments identify the immediate previous owners, a new PED determination to evaluate liability/viability of the previous owners will be required prior to conducting further assessment activities.

I hope that this information is helpful, and please feel free to contact Angela Gallagher at (508) 946-2790 if you have any questions or concerns.

Sincerely,



Paul Locke, Assistant Commissioner  
Bureau of Waste Site Cleanup

cc: Tracey Costa, LSP, Ransom Environmental  
Bill Bochnak, EDIC  
Joanne Fagan, Brownfields Coordinator, DEP-NERO

## Application for Federal Assistance SF-424

\* 1. Type of Submission:

- ☐ Preapplication  
☒ Application  
☐ Changed/Corrected Application

\* 2. Type of Application:

- ☒ New  
☐ Continuation  
☐ Revision

\* If Revision, select appropriate letter(s):

\* Other (Specify):

\* 3. Date Received:

01/30/2019

4. Applicant Identifier:

5a. Federal Entity Identifier:

5b. Federal Award Identifier:

State Use Only:

6. Date Received by State:

7. State Application Identifier:

8. APPLICANT INFORMATION:

\* a. Legal Name:

City of Lynn, MA

\* b. Employer/Taxpayer Identification Number (EIN/TIN):

04-6001397

\* c. Organizational DUNS:

0260925560000

d. Address:

\* Street1:

3 City Hall Square

Street2:

\* City:

Lynn

County/Parish:

Essex

\* State:

MA: Massachusetts

Province:

\* Country:

USA: UNITED STATES

\* Zip / Postal Code:

01901-1028

e. Organizational Unit:

Department Name:

Department of Public Works

Division Name:

f. Name and contact information of person to be contacted on matters involving this application:

Prefix:

Mr.

\* First Name:

Andrew

Middle Name:

\* Last Name:

Hall

Suffix:

Title:

Commissioner, Lynn Public Works Department

Organizational Affiliation:

\* Telephone Number:

781-268-8000

Fax Number:

\* Email:

ahall@lynnma.gov

## Application for Federal Assistance SF-424

### \* 9. Type of Applicant 1: Select Applicant Type:

C: City or Township Government

Type of Applicant 2: Select Applicant Type:

Type of Applicant 3: Select Applicant Type:

\* Other (specify):

### \* 10. Name of Federal Agency:

Environmental Protection Agency

### 11. Catalog of Federal Domestic Assistance Number:

66.818

CFDA Title:

Brownfields Assessment and Cleanup Cooperative Agreements

### \* 12. Funding Opportunity Number:

EPA-OLEM-OBLR-18-07

\* Title:

FY19 GUIDELINES FOR BROWNFIELDS CLEANUP GRANTS

### 13. Competition Identification Number:

Title:

### 14. Areas Affected by Project (Cities, Counties, States, etc.):

Add Attachment

Delete Attachment

View Attachment

### \* 15. Descriptive Title of Applicant's Project:

Cleanup of gas and auto service station site, Brickyard Village target area

Attach supporting documents as specified in agency instructions.

Add Attachments

Delete Attachments

View Attachments

**Application for Federal Assistance SF-424****16. Congressional Districts Of:**

\* a. Applicant

6

\* b. Program/Project

6

Attach an additional list of Program/Project Congressional Districts if needed.

Add Attachment

Delete Attachment

View Attachment

**17. Proposed Project:**

\* a. Start Date:

10/01/2019

\* b. End Date:

10/01/2022

**18. Estimated Funding (\$):**

\* a. Federal

300,000.00

\* b. Applicant

60,000.00

\* c. State

0.00

\* d. Local

0.00

\* e. Other

0.00

\* f. Program Income

0.00

\* g. TOTAL

360,000.00

**\* 19. Is Application Subject to Review By State Under Executive Order 12372 Process?**☐ a. This application was made available to the State under the Executive Order 12372 Process for review on☐ b. Program is subject to E.O. 12372 but has not been selected by the State for review.☒ c. Program is not covered by E.O. 12372.**\* 20. Is the Applicant Delinquent On Any Federal Debt? (If "Yes," provide explanation in attachment.)**☐ Yes☒ No

If "Yes", provide explanation and attach

Add Attachment

Delete Attachment

View Attachment

**21. \*By signing this application, I certify (1) to the statements contained in the list of certifications\*\* and (2) that the statements herein are true, complete and accurate to the best of my knowledge. I also provide the required assurances\*\* and agree to comply with any resulting terms if I accept an award. I am aware that any false, fictitious, or fraudulent statements or claims may subject me to criminal, civil, or administrative penalties. (U.S. Code, Title 218, Section 1001)**

☒ \*\* I AGREE

\*\* The list of certifications and assurances, or an internet site where you may obtain this list, is contained in the announcement or agency specific instructions.

**Authorized Representative:**

Prefix:

Mr.

\* First Name:

Andrew

Middle Name:

\* Last Name:

Hall

Suffix:

\* Title:

Commissioner Lynn Department of Public Works

\* Telephone Number:

781-268-8000

Fax Number:

\* Email:

ahall@lynnma.gov

\* Signature of Authorized Representative:

Pauline Sabino

\* Date Signed:

01/30/2019